



**DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
P. O. BOX 4970  
JACKSONVILLE, FLORIDA 32232-0019**

REPLY TO  
ATTENTION OF

Regulatory Division  
Regional General Permit SAJ-67

FEB 07 2002

**DEPARTMENT OF THE ARMY PERMIT**

**GENERAL PERMIT SAJ-67**

**LIMITED MINOR ACTIVITIES IN LAKE OKEECHOBEE AND THE  
OCHEECHOBEE WATERWAY**

Upon recommendation from the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and/or Section 404 of the Clean Water Act, general authority is hereby given to Construction-Operations Division of the Jacksonville District, U.S. Army Corps of Engineers, to issue Department of the Army permits for the following activities: placement of riprap revetments, new and/or maintenance dredging, excavation and/or maintenance of boat slips, construction and/or maintenance of boat ramps, installation and/or maintenance of aerial and subaqueous transmission lines, construction of minor structures, construction and/or maintenance of single-family piers, and construction and/or maintenance of private multi-family piers having less than 1,000 square feet of surface area, within the navigable waters of Lake Okeechobee and the Okeechobee Waterway between the St. Lucie Lock in Martin County and W.P. Franklin Lock in Lee County, Florida. All projects must adhere to the terms and conditions stipulated in the Lake Okeechobee and the Okeechobee Waterway Shoreline Management Plan and to the following Special Conditions:

**A. Special Conditions for Riprap Revetments**

1. The work authorized herein includes the installation and repair of unconsolidated riprap revetments.
2. The revetment shall not exceed 500 feet in length and not exceed 1 cubic yard per running foot, including any backfill below the plane of the ordinary high water line.
3. If backfill is utilized, then a suitable filter material shall be installed to maintain the stability of the fill material.
4. Filling of wetland areas is not authorized by this general permit. Wetlands are those areas that are periodically inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under

normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

5. In addition to the 4 Special Conditions listed above which are only applicable to the installation and repair of unconsolidated riprap revetments, the permittee must abide by all of the Special Conditions which are listed in paragraph H. below. These Special Conditions are applicable to all structures and/or work authorized under this general permit.

#### **B. SPECIAL CONDITIONS FOR DREDGING/EXCAVATION:**

1. This permit does not authorize the removal of plugs nor the connection of any canal to navigable waters of the United States or to any other waters.

2. Dredging activities, either new or maintenance dredging of a previously dredged area, shall not exceed -5 feet ordinary low water, or the average depth of the waterway at the project site, whichever is less..

3. The material dredged/excavated under this permit shall not exceed 500 cubic yards per project per year.

4. Turbidity control measures will be used to control water quality and the work must be in accordance with State Water Quality Standards in Chapter 62.302, and sections 62-4.242 and 62-4.244 in the Florida Administrative Code. Turbidity control measures may include but are not limited to, turbidity control curtains, the exclusive use of suction dredging, the exclusive use of closed "clam shell" dredging, or any other technique necessary to reduce turbidity to no more than background turbidity. The Florida Department of Environmental Protection (DEP) may require the applicant to submit a daily turbidity report which may be verified by state or local government inspectors.

5. Excavated spoil material shall be deposited at self-contained upland areas that will prevent spoil material and/or return water from re-entering any water of the United States or interfering with natural drainage.

6. No discharge of dredged or fill material into navigable waters of the United States is authorized by this permit.

7. Excavation of wetlands contiguous or adjacent to navigable waters, or areas containing submerged aquatic vegetation is not authorized by this general permit.

8. In addition to the 7 Special Conditions listed above which are only applicable to dredging/excavation, the permittee must abide by all of the Special

Conditions which are listed in paragraph H. below. These Special Conditions are applicable to all structures and/or work authorized under this general permit.

### **C. Special Conditions for Boat Slips**

1. The work authorized herein includes the installation and maintenance of boat slips (berthing space created primarily through upland excavation/dredging and connection to navigable waters) and appurtenant structures such as bulkheads, catwalks, etc. The appurtenant structures shall not exceed a total of 50 linear feet in either direction of the boat slip.
2. The amount of dredged material shall not exceed 500 cubic yards for new work. Maintenance dredging of up to 50 cubic yards of material per year from existing boat slips is authorized.
3. Dimensions of the boat slip shall not exceed 50 linear feet in either direction and the depth of the boat slip shall not exceed the outlying control contours of the water body or in no case be greater than -5 feet ordinary low water.
4. Excavated spoil material shall be deposited at self-contained upland areas that will prevent spoil material and/or return water from re-entering any water of the United States or interfering with natural drainage.
5. Dredged material shall not be placed in adjacent waters or wetlands.
6. Excavation of wetlands contiguous or adjacent to navigable waters, or areas containing submerged aquatic vegetation is not authorized by this general permit.
7. Turbidity control measures will be used to control water quality and the work must be in accordance with State Water Quality Standards in Chapter 62.302, and sections 62-4.242 and 62-4.244 in the Florida Administrative Code. Turbidity control measures may include but are not limited to, turbidity control curtains, the exclusive use of suction dredging, the exclusive use of closed "clam shell" dredging, or any other technique necessary to reduce turbidity to no more than background turbidity. The Florida Department of Environmental Protection (DEP) may require the applicant to submit a daily turbidity report which may be verified by state or local government inspectors.
8. New construction of canals or access channels are specifically excluded from this authorization.
9. In addition to the 8 Special Conditions listed above which are only applicable to the installation and maintenance of boat slips, the permittee must abide by all of the Special Conditions which are listed in paragraph H. below.

These Special Conditions are applicable to all structures and/or work authorized under this general permit.

**D. SPECIAL CONDITIONS FOR BOAT RAMPS:**

1. The work authorized herein includes the installation and maintenance of boat ramps, including appurtenant structures (bulkheads, rub-rails, tie-up piers) requiring less than 100 cubic yards of fill material.

2. Where practical, bulkheads should extend no further than 1 to 2 feet waterward of the ordinary high water line, but in no case shall they exceed 5 feet waterward of the ordinary high water line. Tie-up piers shall not exceed: (a) the length of the boat ramp; (b) a width of 6 feet; and may have a single catwalk or "L" not to exceed 20 feet in length and 4 feet in width.

3. Navigational access to navigable waters of the United States must already exist. No dredging of navigational access channels is permitted under SAJ-67.

4. In addition to the 4 Special Conditions listed above which are only applicable to the installation of boat ramps, the permittee must abide by all of the Special Conditions which are listed in paragraph H. below. These Special Conditions are applicable to all structures and/or work authorized under this general permit.

**E. SPECIAL CONDITIONS FOR AERIAL TRANSMISSION LINES:**

1. The work authorized herein includes the installation of aerial transmission lines and associated structures.

2. The aerial transmission lines must meet the U.S. Army Corps of Engineers clearance criteria as described in 33 CFR, Part 322.5(i)(1), (2), (3), and (4).

3. No dredging or filling of navigable waters or waters of the United States is authorized under this portion of this general permit.

4. When the work is completed, the permittee shall notify the District Engineer at the letterhead address, attention Regulatory Division, and NOAA, National Ocean Survey, Atlantic Marine Center - Charting, 439 West York Street, Norfolk, VA 23510. This notification will certify that the clearance of the wire above mean high water is as authorized.

5. The permittee shall defend and hold the U.S. Government harmless from any and all claims by reason of the placement and installation of the transmission lines authorized by this permit.

6. In addition to the 5 Special Conditions listed above which are only applicable to the installation of aerial transmission lines, the permittee must abide by all of the Special Conditions which are listed in paragraph H. below. These Special Conditions are applicable to all structures and/or work authorized under this general permit.

**E. SPECIAL CONDITIONS FOR SUBAQUEOUS UTILITY AND TRANSMISSION LINES:**

1. The work authorized herein includes the installation and maintenance of subaqueous utility and transmission lines laid on or embedded in the bottom of navigable waters of the United States in the State of Florida.

2. All utility and/or transmission lines, cables, conduits, pipes, etc., authorized by this general permit must be installed a minimum of 6 feet below the authorized depth of any Federal Channel it crosses. The 6-foot criteria applies to the entire authorized width of the channel, plus a minimum of 25 feet outside the channel edges to allow for maintenance of the side slopes.

3. No utility and/or transmission lines will be embedded in the bottom of State Class I or Class II waters, aquatic preserves, or in areas of submerged aquatic vegetation.

4. Dredged or fill material placed as backfill or bedding for subaqueous utility and transmission lines must not change the preconstruction bottom contours. Excess material must be removed to an upland disposal area.

5. The permittee will install signs at the shoreline to notify navigational interests of the location of subaqueous utility and transmission lines.

6. When the work is completed, the permittee shall notify the District Engineer, attention Regulatory Division, at the letterhead address, and NOAA, National Ocean Survey, Atlantic Marine Center - Charting, 439 West York Street, Norfolk, VA 23510. This notification will certify that the clearance of the line below water is authorized.

7. The permittee shall defend and hold the U.S. Government harmless from any and all claims by reason of the placement and installation of the transmission lines authorized by this permit.

8. In addition to the 7 Special Conditions listed above which are only applicable to the installation and maintenance of subaqueous utility and transmission lines, the permittee must abide by all of the Special Conditions which are listed in paragraph H. below. These Special Conditions are applicable to all structures and/or work authorized under this general permit.

#### **F. SPECIAL CONDITIONS FOR MINOR STRUCTURES:**

1. The work authorized herein will be for minor structures to include:
  - a. Single mooring pilings.
  - b. Small mooring dolphins (limited to 1 cluster of 4 or fewer pilings).
  - c. Non-commercial information signage.
  - d. Boat lifts, hoists, davits.
  - e. Other minor structures that would have less environmental impact than a small dock.

2. No activity shall be authorized under this general permit which by its size or location may adversely affect water quality, fish and wildlife habitat, wetlands, or emergent or submerged aquatic vegetation. Adverse impacts to submerged aquatic vegetation from construction of minor structures may be ameliorated by strict adherence to the attached joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Dock Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over Submerged Aquatic Vegetation, Marsh or Mangrove Habitat - U.S. Army Corps of Engineers'/National Marine Fisheries Service - August 2001." Construction of minor structures in submerged aquatic vegetation which does not adhere to these guidelines cannot be authorized by SAJ-67. *Note: The Dock Construction Guidelines may be subject to revision at any time. It is our intention that the most recent version of this technical tool will be utilized during the evaluation of the permit application.*

3. In addition to the 2 Special Conditions listed above which are only applicable to the construction of minor structures, the permittee must abide by all of the Special Conditions which are listed in paragraph H. below. These Special Conditions are applicable to all structures and/or work authorized under this general permit.

#### **G. SPECIAL CONDITIONS FOR ALL PIERS AND APPURTENANT STRUCTURES:**

1. Structures authorized under this general permit are piers or docks not to exceed 1000 square feet in area. Appurtenant structures would include boat hoists, boat shelters with open sides, stairways, walkways, mooring pilings, dolphins, and maintenance/replacement of same.

2. No living, fueling, or storage facilities over navigable waters of the United States are authorized under this general permit

3. No activity shall be authorized under this general permit which by its size or location may adversely affect water quality, fish and wildlife habitat, wetlands, or emergent or submerged aquatic vegetation. Adverse impacts to submerged aquatic vegetation from dock construction may be ameliorated by strict adherence to the attached joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Dock Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over Submerged Aquatic Vegetation, Marsh or Mangrove Habitat - U.S. Army Corps of Engineers/National Marine Fisheries Service - August 2001." Dock construction in submerged aquatic vegetation which does not adhere to these guidelines cannot be authorized by SAJ-67. *Note: The Dock Construction Guidelines may be subject to revision at any time. It is our intention that the most recent version of this technical tool will be utilized during the evaluation of the permit application.*

4. In addition to the 3 Special Conditions listed above which are only applicable to the construction of piers or docks, the permittee must abide by all of the Special Conditions which are listed in paragraph H. below. These Special Conditions are applicable to all structures and/or work authorized under this general permit.

#### **H. SPECIAL CONDITIONS FOR ALL WORKS:**

1. The work authorized herein is limited to existing navigable waters of Lake Okeechobee and the Okeechobee Waterway between the St. Lucie Lock in Martin County and W.P. Franklin Lock in Lee County, Florida.

2. No work shall be performed until the applicant submits satisfactory plans for the proposed activity and receives written authorization from the District Engineer.

3. No activity shall be authorized under this general permit which may adversely affect water quality, fish and wildlife habitat, wetlands, or emergent or submerged aquatic vegetation.

4. No work shall be performed until after the permittee provides notification to the owner(s) or operator(s) of any marked utilities in the work area.

5. No registered properties or properties listed as eligible for inclusion in the National Register of Historic Places will be affected. Prior to the start of work, the permittee must contact the State Historic Preservation Officer in Tallahassee and receive confirmation that no impacts to cultural resources will occur.

6. Conformance with descriptions and quantities contained herein does not necessarily guarantee authorization under this general permit.

7. The District Engineer reserves the right to require that any request for authorization under this general permit be evaluated as a Individual Permit.

8. Prior to issuance of authorization the dichotomous key entitled, "Guidance to the Corps of Engineers, Jacksonville District, and the Department of Environmental Protection regarding 'may affect' determinations for the manatee in Florida", will be used to determine potential manatee impacts. Projects judged as a "may affect" to the manatee will be coordinated with the U.S. Fish and Wildlife Service in accordance with the Endangered Species Act. *Note: The manatee key may be subject to revision at any time. It is our intention that the most recent version of this technical tool will be utilized during the evaluation of the permit application.*

9. The permittee shall instruct all personnel associated with the project of the potential presence of manatees and the need to avoid collisions with manatees. All construction personnel are responsible for observing water-related activities for the presence of manatee(s).

10. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act of 1972, the Endangered Species Act of 1973, and the Florida Manatee Sanctuary Act of 1978. The permittee and/or contractor may be held responsible for any manatee harmed, harassed, or killed as a result of construction activities.

11. Siltation barriers shall be installed, shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be monitored regularly to avoid manatee entrapment. Barriers shall not block manatee entry to or exit from essential habitat.

12. All vessels associated with the project shall operate at "no wake/idle" speeds at all times while in water where the draft of the vessel provides less than four feet clearance from the bottom and that vessels shall follow routes of deep water whenever possible.

13. If a manatee is sighted within 100 yards of the project area, all appropriate precautions shall be implemented by the permittee/contractor to ensure protection of the manatee. These precautions shall include operating all equipment in such a manner that moving equipment does not come within 50 feet to any manatee. Operation of any equipment closer than 50 feet to a manatee shall necessitate immediate shutdown of that equipment. Activities will not resume until the manatee(s) has departed the project area of its own volition.

14. Any collision with and/or injury to a manatee shall be reported immediately to the "Manatee Hotline" at 1-888-404-FWCC (1-888-404-3922).



**Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Vero Beach, Florida (561-562-3909).**

15. Temporary signs concerning manatees shall be posted prior to and during construction/dredging activities. All temporary signs are to be removed by the permittee/contractor/lessee/grantee upon completion of the project. A sign measuring at least 3 feet by 4 feet which reads *Caution: Manatee Area* will be posted in a location prominently visible to water related construction crews. A second sign should be posted if vessels are associated with the construction, and should be placed visible to the vessel operator. The second sign should be at least 8 1/2 inches by 11 inches which reads:

*Caution: Manatee Habitat. Idle speed is required if operating a vessel in the construction area. All equipment must be shutdown if a manatee comes within 50 feet of the operation. A collision with and/or injury to a manatee shall be reported immediately to the Florida Marine Patrol at 1-888-404-FWCC (1-888-404-3922) and the U.S. Fish and Wildlife Service at (561-562-3909).*

16. No activity shall be authorized under this general permit which is likely to adversely affect a Federally listed threatened or endangered species or a species proposed for such designation, or destroy or adversely modify its designated critical habitat.

17. Any structure authorized under this general permit must not interfere with general navigation.

18. Applicable permits under part IV of chapter 373 of the Florida Statutes, and applicable state lands authorizations under chapter 253 of the Florida Statutes must be obtained from the State of Florida, Department of Environmental Protection (DEP), or Water Management District (WMD), or their authorized representatives, as appropriate.

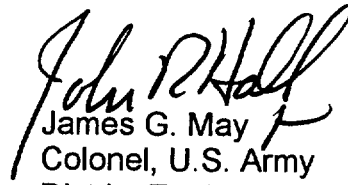
19. In the Okeechobee Waterway, no structure, including mooring piles, authorized under this general permit shall be within the established setback (normally 100 feet but may be less in a few specific reaches), calculated from the near-bottom edge of the Federal channel, unless it is a 5-foot marginal pier. In oxbows, no structure may extend more than 1/3 of the width of the oxbow at normal pool elevation. Any activity within Federal rights-of-way will require the permittee to enter into a consent-to-easement with the Real Estate Division, U.S. Army Corps of Engineers, Jacksonville District, prior to the commencement of any construction activity.

20. SAJ-67 shall be valid for a period of 5 years from the date of issuance unless suspended or revoked by issuance of a public notice by the District

Engineer. The Corps will conduct periodic reviews to determine if continuation of the permit is not contrary to the public interest.

21. If SAJ-67 expires or is revoked prior to completion of the authorized work, authorization of activities that have commenced or are under contract to commence in reliance on SAJ-67 will remain in effect provided the activity is completed within 12 months of the date SAJ-67 expired or was revoked.

22. The permittee shall perform all work in accordance with the attached general conditions.

  
James G. May  
Colonel, U.S. Army  
District Engineer